

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BIENVENIDO I. LUGO MARCHANT,
Plaintiff,

v.

PETER TSICKRITZIS, KEVIN
KINGSTON and UNITED LIQUORS
LIMITED,

Defendants.

Civil Action No. 05 11317 NMG

DEFENDANTS' MOTION FOR A PROTECTIVE ORDER
PURSUANT TO FED. R. CIV. P. 26(c)

Defendants, Peter Tsickritzis, Kevin Kingston and United Liquors Ltd, hereby move for a protective order pursuant to Fed. R. Civ. P. 26(c) which precludes Plaintiff from: (1) seeking documents from third parties after the close of discovery, particularly where his requests are grossly overbroad and in some cases seek privileged or confidential medical information; (2) misrepresenting to third parties that they have been served with a subpoena; and (3) engaging in conduct designed to annoy, embarrass and oppress all three defendants and particularly, the individual defendants, Peter Tsickritzis and Kevin Kingston. The grounds for this motion are set forth more fully in the memorandum and Affidavit of Joan Ackerstein filed herewith.

Certification of Conference

Defendants hereby certify that, through their counsel, they conferred with Plaintiff about this motion on January 17, 2007. Plaintiff indicated to Defendants' counsel that he would oppose this motion.

Respectfully submitted,

UNITED LIQUORS LIMITED,
PETER TSICKRITZIS and KEVIN KINGSTON
By their attorneys,

/s/ Joan Ackerstein

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Dated: January 17, 2007

CERTIFICATE OF SERVICE

I hereby certify that on January 17, 2007, this document was served upon Plaintiff, Bienvenido I. Lugo Marchant, 19 Grove Street, Brockton, MA 02301, by first class mail, postage prepaid.

/s/ Heather L. Stepler
Jackson Lewis LLP